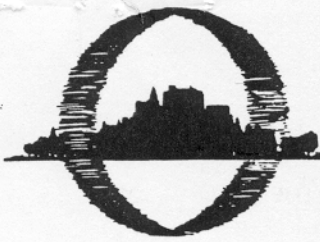


APPENDIX F

**COMPREHENSIVE PLAN CERTIFICATION DOCUMENTATION
PLANNING/EQB MEETING**



ROCHESTER-OLMSTED PLANNING DEPARTMENT

2122 Campus Drive SE, Suite 100 • Rochester, MN 55904-4744

COUNTY OF
Olmsted

www.olmstedcounty.com/planning



To: Jon Larsen and Gregg Downing, Environmental Review Staff
From: Phil Wheeler, AICP, Planning Director *PW*
Executive Director, Rochester Olmsted Council of Governments
Date: May 30, 2001
Re: Fulfillment by Rochester and Olmsted County Plan Documents of State Requirements for Comprehensive Plans

The City of Rochester is beginning work on an Alternative Urban Area Review (AUAR) related to the extension of sewer services into the Marion Township Orderly Annexation Area. The sewer extension is being funded in part by a Rochester sales tax authorized by the Legislature to correct significant sewage treatment problems resulting from old, failing septic systems in the area being served. In authorizing the sales tax extension for this purpose, the Legislature was responding to a well-documented history of failed sewage treatment and ground and surface water problems dating back 40 to 50 years.

The attached summary explains how Rochester and Olmsted County's planning documents are related to "comprehensive planning," as defined by statute and the rules governing AUARs. The attachment is accompanied by a CD that includes map image files related to the documents described in the summary. If you have any questions about the material, please feel free to contact me by phone at (507) 285-8215, mail at the above address, or email at wheeler.phil@co.olmsted.mn.us.

cc: Richard Freese, Director, Rochester Department of Public Works
Barbara Huberty, Environmental and Regulatory Affairs Coordinator, Rochester Department of Public Works



BUILDING CODE 507/285-8213 • GIS/ADDRESSING/MAPPING 507/285-8232 • HOUSING/HRA 507/285-8224

PLANNING/ZONING 507/285-8232 • WELL/SEPTIC 507/285-8345

FAX 507/287-2275

AN EQUAL OPPORTUNITY/AFFIRMATIVE ACTION EMPLOYER



**CORRESPONDENCE OF THE COMPREHENSIVE PLANS
OF THE CITY OF ROCHESTER AND OLMSTED COUNTY
WITH APPLICABLE STATUTE AND RULE**

State law defines comprehensive planning in enabling legislation authorizing cities and counties to carry out planning. EQB rules also define the term. Since the area along Marion Road being looked at for an Alternative Urban Area Review includes land both within and outside the municipal limits of Rochester, the paragraphs below address both municipal and county planning law. However, since the Orderly Annexation Agreements in place for the area being served provides for Rochester to administer land development controls in the area, arguably for that part of the AUAR area, only the City's comprehensive planning process is relevant.

Municipal Planning

Section 462.535, Subdivision 5, of Minnesota Statutes defines a "Comprehensive Plan" for municipal planning as follows:

"Comprehensive municipal plan" means a compilation of policy statements, goals, standards, and maps for guiding the physical, social and economic development, both private and public, of the municipality and its environs, including air space and subsurface areas necessary for mined underground space development pursuant to sections 469.135 to 469.141, and may include, but is not limited to, the following: statements of policies, goals, standards, a land use plan, including proposed densities for development, a community facilities plan, a transportation plan, and recommendations for plan execution. A comprehensive plan represents the planning agency's recommendations for the future development of the community.

The Statute is permissive (the plan "... may include, but is not limited to ...").

Minnesota Rules parts 4410.4300 subpart 19, Item A, subitem 4, and Minnesota Rules parts 4410.4400 subpart 14, Item A, subitem 4 specify comprehensive plan elements for cities outside the seven-county "Lesser Minnesota" metro area as including the following:

- (1) a land use plan designating the existing and proposed location, intensity, and extent of use of land and water for residential, industrial, agricultural, and other public and private purposes;*
- (2) a transportation plan describing, designating, and scheduling the location, extent, function, and capacity of existing and proposed local public and private transportation facilities and services;*
- (3) a sewage collection system policy plan describing, designating, and scheduling the areas to be served by the public system, the existing and planned capacities of the public system, and the standards and conditions under which the installation of private sewage treatment systems will be permitted;*
- (4) a capital improvements plan for public facilities; and*
- (5) an implementation plan describing public programs, fiscal devices, and other actions to be undertaken to implement the comprehensive plan, and a description of official controls addressing the matters of zoning, subdivision, private sewage systems, and a schedule for the implementation of those controls. The EQB chair may specify the form to be used for making a certification under this item.*

The language of the rules is less permissive than the Statute.

The City of Rochester has had a Comprehensive Plan meeting the definitions provided in statute since at least 1963, with the adoption of a Thoroughfare Plan and a Land Use Plan map, and revision of its land development regulations and official controls. The City has adopted multi-year capital improvements programs yearly for the past several decades, also.

The City adopted amendments and additional elements to its Comprehensive Plan over a period of years, including the following major elements:

1. The Rochester Urban Service Area Land Use Plan incorporates general growth guidelines and includes policy statements, goals, standards, implementation measures and strategies, and a series of maps which extend beyond the municipal limits to include a 20-year service territory referred to as the "Rochester Urban Service Area." This plan was adopted in 1980 and amended on several occasions since then, the most significant being the addition to the Urban Service Area of a fifty-year urban reserve area and an expanded 25-year urban service area in 1995 and again in 1999.
2. The Thoroughfare Plan text, which was adopted in 1977, includes policy statements, goals, standards, implementation measures and strategies, and a map, amended in subsequent years, and superseded by the Long Range Transportation Plan in 1997 (see below).
3. The Housing Plan includes policy statements, goals, and standards addressing affordable housing, the desirability of mixed use/mixed income neighborhoods, and implementation measures and strategies for meeting the need for affordable housing for various target groups within the community (adopted in 1980).
4. The Rochester Land Development Manual, which replaced the earlier separate zoning and subdivision ordinances, was adopted in 1992 and subsequently amended in 1999. It addresses policies related to land development and requirements for traffic impact reports, adequate public facilities, and so on. The public facilities section of the Land Development Manual explicitly addresses the standards and conditions under which the installation of private sewage treatment systems will be permitted, as follows:
The use of private sewage disposal systems and private water supply to serve any new development shall not be permitted unless: 1) the Common Council has determined that public utilities will not be reasonably available and private utilities will not impair the ability to extend services in the future, and 2) the Olmsted County Health Department or County Sanitarian finds that proposed geologic and soil conditions, and lot sizes are adequate to support the proposed use of private utilities. There shall be adequate area to relocate the drain field in case of soil saturation for any lot authorized for on-site wastewater disposal.
5. The Transportation Energy Policy Guide for Olmsted County and the City of Rochester was adopted in 1982 and superseded in 1997 with the adoption of the ROCOG Long Range Transportation Plan. It addresses transportation-related energy issues.
6. The Transit Development Plan, initially adopted in the early 1980s and updated in 1992, addresses short term and long term transit service operation, expansion, and funding for regular route and dial-a-ride services in the City of Rochester and its environs. Issues such as Access to Jobs and other workforce/employment transportation matters, and services for elderly and handicapped, are further addressed in supplemental plans that have been prepared since 1992. Additionally, the primary TDP recommendations, regarding service areas, fares and hours are continually monitored and studied annually

in order to improve the cost effectiveness of the system and respond to developing needs in the community.

7. The Airport Master Plan, initially adopted in the early 1970s and last updated in 1997, addresses short term and long term plans for operation and expansion of air transportation services and related land use and transportation impacts.
8. The Wastewater Master Plan, initially developed in 1975 and comprehensively updated and expanded in 1995, addresses long term plans for collection and treatment of sewage in the Rochester Urban Service Area.
9. The Plan for Acquisition of Public Lands, adopted in 1985, lays out a parkland classification system, policies for parkland acquisition for neighborhood and community parks, implementation strategies including dedication and purchase, and a (periodically updated) future acquisition priority list.
10. The Rochester Olmsted Council of Governments (ROCOG) Long Range Transportation Plan functions as an element of the comprehensive plan because it is relied on in scheduling capital improvements and in reviewing and approving plans and projects regulated under the Land Development Manual. The ROCOG plan includes elements addressing transit service, bikeways and pedestrian facilities, intermodal movements, livable communities, transportation funding, energy conservation, and streets and highways. Preservation and expansion of all transportation systems are addressed based on projected changes in land use and travel.
11. The Surface Water Management Plan functions as an element of the plan because it is relied on in scheduling capital improvements and in reviewing and approving general development plans. The Plan addresses stormwater management and policies for retaining and improving surface water quality.
12. The Capital Improvements Program is prepared annually and provides a six-year program for infrastructure investments in all aspects of municipal business, including implementation of the Comprehensive Plan.

The City has also begun the process of adding two elements to its comprehensive plan establishing policies addressing (1) affordable housing and diversity and (2) environmental justice in capital improvements planning and programming.

It should be clear from the foregoing that the City of Rochester meets the letter and intent of both rule and statute.

The following table summarizes the elements of the City's Comprehensive Plan.

City of Rochester Plan or Plan Implementation Element	Date of Initial Adoption in Current Form	Date of Last Update
<u>Rochester Urban Service Area Land Use Plan</u>	1980 (1963)	2000
<u>Thoroughfare Plan</u>	1977 (1963)	1997
<u>Housing Plan</u>	1980	1998
<u>Rochester Land Development Manual (incorporates Subdivision Ordinance and Zoning Ordinance)</u>	1992 (1930's)	2001
<u>Transportation Energy Policy Guide for Olmsted County and the City of Rochester</u>	1982	1997

City of Rochester Plan or Plan Implementation Element	Date of Initial Adoption in Current Form	Date of Last Update
<u>Transit Development Plan</u>	1992 (1983)	1997
<u>Airport Master Plan</u>	1965	1997
<u>Wastewater Master Plan</u>	1975	1995
<u>Plan for Acquisition of Public Lands</u>	1985	1999
<u>Long Range Transportation Plan</u>	1997	1997
<u>Surface Water Management Plan</u>	1997	1997
<u>Capital Improvements Program</u>	annual	2000

County Planning

Section 394.22, Subdivision 9, of Minnesota Statutes defines a "Comprehensive Plan" for county planning as follows:

"Comprehensive plan" means the policies, statements, goals, and interrelated plans for private and public land and water use, transportation, and community facilities including recommendations for plan execution, documented in texts, ordinances and maps which constitute the guide for the future development of the county or any portion of the county.

Olmsted County adopted the first element of its comprehensive plan with the adoption of the "Growth Guidelines for Olmsted County" in 1977. This document contained general policies and principles guiding public and private land development and related infrastructure in all of Olmsted County. The County has adopted multi-year capital improvements programs yearly for the past several decades, also.

The County adopted additional elements to its Comprehensive Plan over a period of years from 1977 to 1983, including the following elements:

1. The General Land Use Plan for the Olmsted County Area, including policy statements, goals, standards, a map identifying an "Agricultural Protection Area," an "Agricultural Area," a "Suburban Subdivision Area," several "Urban Service Areas," and incorporating the Growth Guidelines as refined and amended (adopted in 1978) and policies and strategies for plan implementation;
2. A Thoroughfare Plan, including policy statements, goals, standards, strategies for plan implementation, and a map (adopted in 1977 and amended in 1979); and
3. A Housing Plan, including policy statements, goals, and standards addressing affordable housing, the desirability of mixed use/mixed income neighborhoods, and strategies for plan implementation for meeting the need for affordable housing for various target groups within the community (adopted in 1980).
4. Detailed land use plans for those parts of the urban service areas lying outside municipal limits, beginning with the Rochester Urban Service Area in 1980 and including all of the urban service areas of the other cities in Olmsted County over the next few years, incorporating policies and strategies for plan implementation.

In 1983, Olmsted County adopted a comprehensive amendment to its zoning ordinance that

- restricted commercial and industrial development to urban service areas and established a holding zone requiring connection to municipal water and sewer service for residential, commercial, and industrial development within those urban service areas;
- restricted platted residential development to the limited area of the County identified as suburban subdivision areas;
- restricted nonfarm development in most Agricultural Areas to a density of one lot per forty; and
- restricted nonfarm development in most Agricultural Protection Areas to a density of one lot per quarter section (160 acres).

The Zoning Ordinance also sets other policies and requirements on land development that refine aspects of the land use plans.

The County has a number of policies and ordinances in place regulating private sewage collection and treatment and private water supply systems. County ordinances require that commercial, industrial, and multifamily residential development connect to municipal services if those services are available.

Olmsted County adopted a detailed Water Management Plan in 1991 incorporating a number of policies regarding water conservation and the preservation of surface and ground water quality in a number of urban, suburban, and rural settings. That Plan was amended in 1998.

Olmsted County took over responsibility for managing solid waste in the early 1980's. The first Olmsted County Solid Waste Management Plan was developed in 1984; the most recent revision to this plan was approved in 2001. The Plan provides for a comprehensive waste management system oriented around the principles of reducing waste, reusing materials, recycling, and responsibly treating the remainder.

The County revised its General Land Use Plan and implementation policies and strategies in 1995 with the adoption of a comprehensive amendment to the 1978 General Land Use Plan. The staff of the Environmental Quality Board (and others) have commended the plan for its strong growth management approach, its support for sustainable development, and for its innovative reliance on geographic information systems to guide the initial mapping of development and the evaluation of subsequent proposed map amendments. EQB staff have received several copies of the Plan.

The Long Range Transportation Plan prepared and adopted by the Rochester Olmsted Council of Governments in 1997, though not officially adopted as an element of the Olmsted County Comprehensive Plan, functions as an element of the plan because it is relied on in scheduling capital improvements and in reviewing and approving zoning, subdivision and general development plans. The ROCOG plan includes elements addressing transit service, bikeways and pedestrian facilities, intermodal movements, and streets and highways.

The County has also begun the process of adding affordable housing and diversity elements to its comprehensive plan and addressing environmental justice in capital improvements programming.

It should be clear from the foregoing that Olmsted County also meets the letter and intent of applicable rules and statutes in its land development planning and plan implementation

measures. The table below reviews the status of Olmsted County's comprehensive plan elements.

Olmsted County Plan or Plan Implementation Element	Date of Initial Adoption in Current Form	Date of Last Update
<u>Olmsted County Growth Guidelines</u>	1977	1995
<u>General Land Use Plan for the Olmsted County Area</u>	1978	1995
<u>Rochester Urban Service Area Land Use Plan</u>	1980	2000
<u>Small city urban service area land use plans</u>	1980-1990	2000
<u>Thoroughfare Plan</u>	1977	1997
<u>Housing Plan</u>	1980	1998
<u>Olmsted County Zoning Ordinance</u>	1983	2001
<u>Olmsted County Subdivision Ordinance</u>	1970	1985
<u>Transportation Energy Policy Guide for Olmsted County and the City of Rochester</u>	1982	1997
<u>Long Range Transportation Plan</u>	1997	1997
<u>Olmsted County Comprehensive Water Management Plan</u>	1991	1998
<u>Olmsted County Solid Waste Management Plan</u>	1984	2001
<u>Capital Improvements Program</u>	annual	2000

TO: Jon Larsen, EQB
Beth Lockwood, MPCA
Phil Wheeler, Rochester-Olmsted Planning Department
Brad Schieb, HKGi
Leslie Knapp, Earth Tech

FROM: Barb Huberty, Rochester Public Works Department

DATE: August 8, 2001

SUBJECT: 7/17/01 Marion AUAR Meeting with EQB and MPCA

Enclosed you will find a copy of the meeting notes from our 7/17/01 meeting to discuss the forthcoming Alternative Urban Areawide Review in Marion Township. I would appreciate it if you would let me know of any errors or omissions to the summary no later than the end of August.

Key points that relate to the Marion AUAR noted during the meeting are as follows:

- There will be a high level of agency and public involvement.
- Jurisdictional issues must be addressed in ways that make the mitigation plan enforceable at the time of adoption by the RGU.
- Rochester and Olmsted County have the necessary planning documents in place to meet the intent of Comprehensive Planning laws and there are no missing elements. All the Planning requirements are in place to proceed with the AUAR.
- The project area boundary identified during the development of the sewer extension construction permit may be modified once a development scenario is selected and after development densities for sewer extension, wastewater planning, and land use planning are evaluated.

I appreciate the time and assistance the City of Rochester has received from the EQB and MPCA staff thus far. I am looking forward to continued positive working relationships with EQB and MPCA during the remainder of the AUAR process.

CC: Richard Freese, Rochester Public Works Department Director

**MARION ROAD TRUNK SANITARY SEWER PROJECT
ALTERNATIVE URBAN AREAWIDE REVIEW
EQB/MPCA MEETING SUMMARY**

Tuesday, July 17, 2001
Environmental Quality Board Offices
1:30 PM - 4:00 PM

ATTENDEES:

- Barb Huberty, City of Rochester, Environmental and Regulatory Affairs Coordinator
 - Phil Wheeler, Rochester-Olmsted Planning Department Director
 - Jon Larsen, Environmental Quality Board (EQB)
 - Beth Lockwood, Minnesota Pollution Control Agency (MPCA), Supervisor Operations and Planning for North and South Districts
 - Leslie Knapp, Earth Tech, Inc.
 - Brad Scheib, Hoisington Koegler Group, Inc.
- Gregg Downing (EQB) and Denise Leezer (MPCA) were not able to attend.

1.0 INTRODUCTIONS

Introductions were made including a description of each attendee's role in relation to the project.

2.0 PROJECT STATUS UPDATE

Leslie Knapp provided a project status update. The project is in the early stages and we wanted to take this opportunity to meet with the EQB and MPCA to identify project issues and AUAR needs.

Agency and Public Involvement

Jon Larsen described the agency meeting for the City of Roseville's Twin Lakes Development, a 100-acre commercial/mixed development AUAR. About 40 agency representatives were invited to review the development scheme. Barb asked for the list of invited attendees and Jon Larsen provided Barb with the list. He also referred to the EAW distribution list as a good agency coordination list.

Leslie Knapp and Barb Huberty described the public involvement, agency, and Technical Advisory Committee (TAC) approach proposed for the Marion AUAR including, among other opportunities:

- An agency and TAC field review to familiarize commenting agencies and TAC members with the project area and to identify pertinent issues.
- An opportunity for the TAC and public to comment on the constraint mapping and development scenario prior to the preparation of the AUAR.
- TAC and public meetings to obtain input on the draft AUAR and mitigation plan.

EQB/MPCA MEETING SUMMARY

Tuesday, July 17, 2001

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Leslie Knapp provided an overview of the Core Team make-up (consultant and City staff), project tasks, and project schedule.

Barb Huberty indicated that she believes this AUAR will be for the largest project area to date. She said that the City had sent information out to elected and appointed officials having an interest in environmental planning and had given a presentation to the Marion Town Board on the AUAR process.

Brad Scheib indicated that the allowable development scenario for the large Marion AUAR area is primarily residential with some commercial use, hence it will probably not be as detailed as the Roseville development scenario for the smaller commercial/mixed use area.

Jon Larsen said that some RGUs work directly with the top (most involved or most interested) three or four agencies (typically MPCA, DNR, MN DOT and MDA) for their project and simply deal with those agencies in a pre-review to identify potential showstoppers. Beth Lockwood said that obtaining technical expertise from both the St. Paul and sub-district (or regional) offices is necessary. Typically, the lead AUAR staff members are in the St. Paul offices and they coordinate with the staff from regional offices and other divisions that need to be involved. It is especially important with the DNR to confirm that regional and central staff members are on the same page regarding AUAR issues. BWSR is on our agency list, as are the SWCD and Wetland Conservation Act local governmental unit staff members. Beth Lockwood asked about environmental groups. Jon Larsen said that specific environmental group participation could be determined on a case-by-case basis. Beth Lockwood said that pro-active environmental group involvement is typically a good approach. Barb Huberty said that we anticipate some environmental group involvement on the TAC or in public meetings. Phil Wheeler indicated that Lee Ganske is a resident of the area who has mapped native plant communities in this area and he would be helpful in the planning process.

Jon Larsen stated that objections to an AUAR have only happened two times and the Met Council was the objecting agency each time. Both objections were resolved before it got to the EQB board. As Jon Larsen recalled, the objections were related to traffic and stormwater.

Mitigation Plans

Leslie Knapp asked about the enforceability of mitigation plans with respect to multi-jurisdictional involvement.

Jon Larsen said that in cases where annexation is an issue, it is not a problem to begin the environmental review process. At the time when binding decisions are needed, however, there will need to be jurisdiction via annexation or with some type of agreement or memorandum so that a Negative Declaration could be made by the RGU.

Mitigation plans must be enforceable documents. The regulations require mitigation measures that are binding. It is possible to do this through a memorandum of agreement, memorandum of understanding, or ordinance. Phil Wheeler stated that to become connected to City sewer and water, a development must have an orderly annexation agreement in place.

EQB/MPCA MEETING SUMMARY

Tuesday, July 17, 2001

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A menu of mitigation doesn't happen until commitment by all affected parties is real. If you have multiple development scenarios, mitigation measures must apply to all. Jon Larsen said that these issues get thorny if they are not done by mutual agreement. Reluctant parties will drag their feet. To the degree that folks can line up on issues with pre-agreements, trouble can be avoided.

Barb Huberty asked for clarification for the definition of "unacceptable environmental impacts". Beth said unacceptable impacts are definable by the RGU (beyond those already prescribed by statute or rule). Barb anticipates that some people may consider it nice to preserve oak woodlands, prairie, or small-scale amenities, for example. She foresees that the AUAR may be an opportunity for residents to more actively define the type of environment they want to preserve, but that there may not be laws or ordinances in place to do so. She noted that the creation of a new ordinance would be very difficult within the 120-day AUAR timeframe and may preclude the actual adoption of an ordinance as a mitigation measure. Beth Lockwood said that the City should not be as concerned about holding to the 120-day limit if it takes more time to identify significant impacts and to create suitable mitigation measures. They are after a quality document and are willing to sacrifice the schedule in order to get that. Jon Larsen said that he would worry less about the timeline. The legal interpretation by the EQB's attorney general is that the 120-day deadline is a directed deadline rather than a mandatory deadline to protect the rights of all people affected by the rules. The clock is not reset if the deadline is missed. There is no automatic decision. The purpose of the directed deadline is so that no one person could abrogate the process by pocketing it. Barb Huberty said that she would like to adhere to proposed schedule as closely as possible.

Brad Scheib and Leslie Knapp asked questions pertaining to referencing an ordinance as part of the AUAR mitigation as opposed to actually having it in place. Beth did not feel parties could agree to the mitigation related to the ordinance without adopting it. Phil Wheeler suggested that we use the mapping aspect, to map mitigation requirements rather than creating text for an ordinance. The City has effectively used this method in the past. Using official mapping statutes, the City could map mitigation areas. Ordinance development takes longer. Phil Wheeler also said that the land use plan has identified open areas or areas to be preserved as parkland in the past, thereby allowing private owners a very minimal range of things that they can do to the property. A question was asked regarding whether an ordinance could be incorporated in an update if it was not adopted as part of the AUAR.

Barb Huberty then asked about the five-year updates. If there is no change can the update be in the form of a letter or resolution from the City Council? Jon Larsen said that they would need a report concluding that the AUAR remains substantially in force as is. Barb Huberty asked if no revisions are proposed, what would the update entail? Jon Larsen said that the public still needs to be put on notice that the existing document is still current, to put it out for public review and obtain comments. If the area is all built-out, the AUAR is no longer needed.

3.0 DISCUSS “FULFILLMENT BY ROCHESTER AND OLMSTED COUNTY PLAN DOCUMENTS OF STATE REQUIREMENTS FOR COMPREHENSIVE PLANS” LETTER (MAY 30, 2001)

Phil Wheeler provided an overview of the planning documents described in the cited letter to the EQB. He provided a review of existing plans and maps.

Jon Larson referenced the comprehensive plan requirements as they relate to the AUAR and that set mandatory thresholds for development. Cities other than those in the seven county metropolitan area provide self-certification. Rochester did that in 1990. The requirements in the AUAR regulations are same. By having completed self-certification under one portion of the regulations, the City meets the requirements of the AUAR portion.

The issue as to whether all of the information needs to be in one comprehensive document has been brought up before. In one particular case, a planning component (a sanitary sewer plan) was missing in the local plan, but was addressed in regional planning. Therefore, the question regarding does regional planning meet the requirement for planning was raised. The EQB recognizes the value of using regional planning to meet AUAR needs. Comprehensive planning does not mean that all elements need to be in a unified document. This is a different issue from asking the Chair to make a ruling as to whether or not an AUAR can be prepared in the absence of a particular element. If an element, such as the sanitary sewer plan, was missing at the local level but completed regionally, it is not a missing element. Exemption is not necessary, because all the required elements are present. EQB does not feel that the elements of a Comprehensive Plan need to be in a unified document to be qualified to proceed with the AUAR process. Jon Larsen stated that he had no sense that Rochester has any missing pieces, so this is a non-issue.

Barb Huberty restated her understanding that Rochester and Olmsted County have all the elements of a comprehensive plan with no missing elements such that the City has what it needs to proceed with the AUAR. Jon Larsen agreed that was his sense on the issue. Phil Wheeler asked if Jon Larsen meant that the City was OK and that the planning documents met the AUAR requirements. Jon Larson said that that was his sense-he thinks that the City meets the AUAR requirements.

Barb Huberty said that the City and County have planned collaboratively over last couple of decades, so she felt comfortable that there would not be any problems. Jon Larsen said we wouldn't hear from EQB, but that he doesn't speak for all state agencies that are part of the Board. He felt that, as the City is self-certified, that we essentially have a comprehensive plan. There is always the possibility of someone out there that could challenge anything.

4.0 IDENTIFY POTENTIAL EQB AND MPCA ISSUES RELATED TO THE AUAR

The presence of karst geology and possible fisheries issues will be likely issues for this AUAR. No other issues were identified for now. There will be other opportunities to interact as the project progresses.

5.0 IDENTIFY HOW THE EQB AND MPCA PREFER TO BE KEPT INFORMED ABOUT THE PROJECT

Denise Leezer will be the MPCA contact for the Marion AUAR. The MPCA prefers to be involved early in projects. Leslie Knapp described how sections of the EAW for the MCES Solids project were distributed when they became available for informal review and agency comment. Beth Lockwood concurred that this would be a good approach as long as the AUAR pieces were large enough to be comprehensive by issue area and not too scattered. Jon Larsen is the primary contact for the EQB. Tom Balcom will likely be the central office DNR contact and he will identify regional and other DNR contacts.

Early in the agency liaison process, it will be important to outline the proposed schedule, identify the expectations as they relate to agency involvement, and identify possible subgroups to the TAC.

6.0 DISCUSS AUAR PROJECT BOUNDARIES

Leslie Knapp asked if the City could modify the AUAR project boundary prior to the Order for Review. She explained that there is a numerical range for low-density residential development and that numbers used for sizing the trunk sewer line are slightly different than those used for comprehensive wastewater management planning as well as what would be an allowable "worst case" development scenario. Barb Huberty noted that the current project area boundary was set during sewer extension construction permit negotiations with the MPCA using the trunk sewer sizing estimates, but that the comprehensive sewer plan densities and land use planning densities were not consulted at the time.

The existing and future suburban subdivision areas are less apt to need sewer service and are being considered for removal from the study area so that the City could plan for higher low residential density in the undeveloped areas. The City wants to be sure that the MPCA is comfortable with the concept of modifying the AUAR study area boundary.

Jon Larsen described a situation where a municipality with a few hundred acres of mixed commercial/residential was phased the development process. The area covered two watershed districts. One project was more complex. The RGU asked if they could do separate AUARs and this was allowed. The EQB has no expectation regarding the project limits for this AUAR so modifying the boundary is OK with them.

Beth Lockwood said that if it makes sense to reduce the project area to get a viable AUAR, the MPCA would likely be OK with it. When we propose a modified boundary, Beth will send it to the MPCA sewer division folks for review.

7.0 DISCUSS OTHER CITY PROJECTS

Leslie Knapp described the proposed lift station project. The City of Rochester plans on relocating a lift station in northwest Rochester during 2002. The existing lift station was constructed as a temporary facility about 25 years ago and is near full capacity. Rather than increasing the size of the existing station, relocation is being pursued for several reasons: moving the station away from developed areas because of noise and odor concerns; improving reliability; connecting to an existing gravity line (the current downstream force main capacity is insufficient and resulted in back-up last year); and providing for future, long-range City growth needs. Since the relocated lift station will be sized and constructed to accommodate future service needs, it will need to be larger than the existing facility. Additionally, two proposed trunk sewer interceptors will be connected to the relocated lift station at some point in the future.

The lift station project will require the submittal of an MPCA "Sanitary Sewer Extensions and/or Changes Permit Application." Item 11 of this application asks if the project has been reviewed in a previous EAW. Item 12 asks if the ultimate design flow for the proposed project is greater than 1,000,000 gpd, and if so, indicates that an EAW is mandatory. The MPCA would be Responsible Governmental Unit (RGU).

Leslie Knapp of Earth Tech, Inc., discussed this project with Jon Larsen of the EQB on July 5, 2001. At that time, Jon Larsen agreed that the formal trigger for an EAW is 4410.4300, Subpart 18: Expansion, modification, or replacement of a municipal sewage collection system resulting in an increase of design average daily flow of any part of that system by 1,000,000 gpd or more. The MPCA would be the RGU.

Jon Larson also stated that the general administrative requirement is that the network system must be segmented in a sensible manner for environmental review. Since the MPCA is the RGU and will receive a permit application, the City wants to coordinate with the EQB and MPCA early in the process and would like to reach agreement on an appropriate approach to environmental review.

The City proposes to address environmental review for the lift station with an EAW, if the designed average daily flow represents an increase of 1,000,000 gallons per day or more. Since no significant new development can tie into the wastewater collection and treatment system until the trunk sewer interceptor extensions are built, any required environmental reviews for the interceptors would be prepared separately, in conjunction with their future permitting and construction.

Beth Lockwood indicated that the proposal initially sounds reasonable, but would like a formal letter on this to review and run by sewer staff, along with a map.